

THE RIGHT TO INFORMATION ACT-2005

To bring more transparency and accountability in working of every public authority, an Act was brought to provide right to information for citizens to secure access for information under the control of public authorities and make our democracy work for the people in real sense. It goes without saying that an informed citizen is better equipped to keep necessary vigil on the instruments of governance and make the government more accountable to the governed.

For this purpose, Central Information Commission and State Information Commissions have been setup by the Govt. under the provisions of this act, which has been named as Right To Information Act, 2005.

As per the Act '**Information**' means any material in any form, including records, documents, memos, e-mails, opinion, advices, press releases, circulars, orders, log books, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any law for the time being in force.

'Right to Information' means the right to information accessible under this Act which is held by or under the Control of any public authority and includes the right to :-

- (i) Inspection of works, documents, records;
- (ii) Taking notes, extracts of certified copies of documents or records;
- (iii) Taking certified samples of material;
- (iv) Obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through print-outs where information is stored in a computer or in any other device.

"Records" includes;

- (i) Any document, manuscript and file;
- (ii) Any microfilm, microfiche and facsimile copy of a document;
- (iii) Any reproduction of image or images embodied in such microfilms and
- (iv) Any other material produced by computers or any other device.

Formation for supply of Information:- the applicant has to be provided the information sought by him in the form in which it is sought. It may be denied if the information sought in a particular form would disproportionately divert the resources of the Public Authority or may cause harm to the safety or preservation of the records.

Fees for seeking information – A person, who desires to obtain any information under this act, shall make a request in writing or through electronic means in English or Hindi or in the official language of the area in which the application is being made, accompanying such fee as may be prescribed.

Information / Documents which may not be given- Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen- like information, disclosure of which would

prejudicially effect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign state or lead to incitement of an offence.

As per the Act, every public administration either Central or State as the case may be requires to designate Public Information Officer (PIO) and Assistant Public Information Officer (APIO) to provide information to the citizens. Each public authority requires to designate an officer senior in rank to the Public Information Officer (PIO) as Appellate Authority to consider appeals, if any, arising out of the decision of the Public Information Officer (PIO). Any person, who does not receive a decision from the Public Information Officer (PIO) within the specified time or is aggrieved by his decision, may within a period of 30 days, prefer an appeal to such officer who is Senior in rank to the Public Information Officer (PIO) in each public authority. The citizens have a right to prefer a second appeal before the Central/State Information Commissions, as the case may be, against the decision of the Appellate Authority within 90 days. Such appeal shall be disposed of within 30 days (extended to 45 days) and the decision of the Commission in this regard shall be binding.